JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

JULY 29, 2005

Refer to: P/N # 2005-2W-151-C

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

SUMMERVILLE LAKES, LLC C/O CIVIL SITE ENVIRONMENTAL 668 MARINA DRIVE, SUITE B-1 CHARLESTON SOUTH CAROLINA 29492

for a permit to place fill material in wetlands adjacent to

CHANDLER BRIDGE CREEK

located on a 184.42 acre tract adjacent to Lincolnville Road, approximately 2.5 miles northwest of its intersection with Ladson Road in Charleston and Dorchester Counties, South Carolina (Latitude 33.0058, Longitude 80.15121)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, AUGUST 29, 2005

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of filling 1.19 acres of jurisdictional freshwater wetlands and 0.88 acres of non-jurisdictional wetlands for infrastructure and lot development. In addition, the applicant proposes to clear 0.16 acres of jurisdictional freshwater wetlands for the installation of infrastructures associated with the sewer easement. 0.08 acres will be permanently cleared and 0.08 acres will be temporarily cleared and allowed to naturally re-vegetate. The purpose of the proposed work is to create uplands for single and multi-family residential use. The applicant proposes to mitigate for these impacts by preserving the remaining 69.97 acres of wetlands and to enhance these wetlands with an average 25' wide buffer (5.6 acres) through the use of deed restrictions/ covenants.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

REGULATORY DIVISION JULY 29, 2005 Refer to: P/N # 2005-2W-151-C

U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 69A Hagood Avenue

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the South Carolina Coastal Zone Management Act (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

Charleston, South Carolina 29403-5107

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 1.19 acres of freshwater habitat upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-

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Elizabeth Jackson Project Manager Regulatory Division

U.S. Army Corps of Engineers

Project Narrative

I Introduction

The project site consists of 184.42 acres located in both Charleston County and Dorchester County, South Carolina; the majority of the property is in Charleston County. The project is also located in the Town of Summerville, South Carolina. Upon completion, the project will become a continuous and contiguous part of a subdivision already under development, The Lakes of Summerville. The activity in the current Lakes of Summerville subdivision was previously permitted pursuant to SAC-39-2002-1668-N. At the time the applicant applied for and obtained permit SAC-39-2002-1668-N, it did not own the property that is the subject of this permit application. Thus, the applicant was not able to master plan the two properties as one project under a single permit application.

The new property contains 72.02 acres of federally-defined jurisdictional freshwater wetlands. The majority of the freshwater wetlands are a part of a large freshwater wetland system which was also the subject of permit SAC-39-2002-1668-N. The property also contains a 0.88 acre non-jurisdictional, isolated, freshwater wetland. The project applicant intends to develop the property for both single and multi-family residential use. The proposed activity includes the subdividing of the property into numerous residential lots, the installation of associated infrastructures, such as roads, and the construction of storm water detention facilities including several storm water retention ponds.

The applicant has thoroughly reviewed the project site and developed a conceptual development plan in an attempt to avoid freshwater wetland impacts to the maximum extent possible. Further, in preparing the permit application, the applicant attempted to comply with all policies and regulations administered by the U. S. Army Corps of Engineers and the South Carolina Department of Health and Environmental Control. The applicant has considered all methods of avoidance, minimization and on-site mitigation alternatives.

II Proposed Freshwater Wetland Impacts

The applicant proposes to fill 1.19 acres of federally-defined jurisdictional freshwater wetlands and the single .88 acre non-jurisdictional, isolated, freshwater wetland. Additionally, the applicant proposes to clear .16 acres of federally-defined jurisdictional freshwater wetlands for the installation of infrastructures associated with the sewer system easement; .08 acres will be permanently cleared and .08 acres will be temporarily cleared. In regard to the .08 acres that will be permanently cleared for the sewer easement, the excavated material will be returned to the trench and any remaining material will be relocated and disposed of on an upland location. The applicant will make every effort to keep any substrate associated with the easement which contains root, rhizomes or seeds viable for use in replacing the surface of the excavated easement. The easement areas will be allowed to naturally re-vegetate.

With the exception of a proposed fill of the .88 acre isolated, freshwater wetland, most of the other proposed impacts are primarily associated with road crossings. At each of these locations, the impact consists of minor fill activity associated with the installation of either box culverts or a 24" drainage pipe.

Two of the proposed road crossings will link the proposed development to another significant residential community on the opposite side of the system. Additionally, as noted in the enclosed letter from the Town of Summerville, the Town is requiring the applicant to apply for this crossing. According to the Town's letter, the crossing is necessary for the appropriate provision of emergency services such as fire, police and emergency medical services.

2005-2W-15!

TITLE: THE LAKES OF SUMMERVILLE
PROPOSED ACTIVITY: PLACING FILL
MATERIAL ON FRESHWATER WETLAND
& WETLAND DISTURBANCE
COUNTY: CHARLESTON
STATE: SOUTH CAROLINA
APPLICANT

SUMMERVILLE LAKES, U.C.

Sheet 1 of 28

III Other Impacts

A. Archaeological and Cultural Resources

The applicant is not aware of any property condition which would make the property eligible for listing on the National Register of Historic Places. Further, the applicant is not aware of any archaeological or cultural resource within the boundaries of the property which prohibit or impact the issuance of a permit.

B. Fish and Wildlife

The property is already substantially surrounded by other residential and some commercial development. Therefore, there is already significant pressure on wildlife in the area and associated habitat. As with all development, there will be some closs of certain wildlife habitat on the property. However, the preservation of approximately 97 percent (69.69 acres) of the freshwater wetlands on the property will certainly provide some long-term protection for many aquatic plants and animals typically associated with these areas. Additionally, the preservation of approximately 5.4 acres of upland buffers around the protected wetlands will enhance the effect of the wetland preservation.

The applicant is not aware of any plants or animals which are listed on the federal Threatened and Endangered Species list or which are otherwise protected that will be impacted by this activity. Further, the applicant is not aware of any habitat utilized by protected species which will be directly impacted by the proposed activity.

C. Scenic Values

There will be some general impacts on scenic values solely because a residential subdivision will be constructed on an undeveloped parcel of property. Any impacts will be minimal because the area surrounding the property is already undergoing significant development activity. However, the applicant's activity should provide some long-term scenic preservation by preserving the large freshwater wetland area and protecting it with upland buffers. Further, the applicants proposed activity will largely leave the small ditch that crosses the property and connects to thin its natural condition and protect it with significant upland buffers.

D. Public Water Supply

The applicant is not aware of any impact the proposed activity will have on public water supply.

E. Recreational

The applicant is not aware of any impact the proposed activity will have on recreation.

F. Public Health

The applicant is not aware of any impact the proposed activity will have on public health.

2005-2W-151

PROPOSED ACTIVITY: PLACING FILL
MATERIAL ON FRESHWATER WETLAND
& WETLAND DISTURBANCE

COUNTY: CHARLESTON STATE: SOUTH CAROLINA

APPLICANT:

SUMMERVILLE LAKES, LLC

SHEET 2 of 28

IV Compensatory Mitigation

As noted above, the applicant made every effort to avoid any unnecessary wetland impacts. In the alternative, the applicant has made every effort to minimize otherwise unavoidable impacts such as road crossings.

As compensatory mitigation, the applicant proposes to provide preserve the remaining freshwater wetlands on the property, 69.97 acres. Further, the applicant proposes to protect and otherwise enhance the remaining freshwater wetlands through the use of upland buffers averaging 25' in width; 5.60 acres. The applicant will preserve the remaining freshwater wetlands and upland buffers through the use of USACOE and SCDHEC approved deed restrictions/covenants.

The unavoidable freshwater wetland impacts require the applicant to establish approximately 19.74 mitigation credits under the current compensatory mitigation SOP. Under the applicant's proposal, approximately 105.3 mitigation credits will be provided through the preservation of 69.97 acres of freshwater wetlands and the preservation of 5.60 acres of upland buffer. Although the applicant has reviewed the site for non-buffer restoration or enhancement opportunities, the property does not appear to present any opportunities for such mitigation activity.

V Conclusion

In order to develop the property as a residential subdivision, certain freshwater wetland impacts are unavoidable. The proposed impacts are the most practicable after considering lot sizes, drainage, road placement, tree protection, access for emergency services and a host of other factors. The applicant believes its proposed activity and associated freshwater wetland impacts preserve and protects those areas that possess the size and wetland characteristics to overcome the hydrologic changes created by residential development.

2005-2W-151

PROPOSED ACTIVITY: PLACING FILL
MATERIAL ON FRESHWATER WETLAND
& WETLAND DISTURBANCE

COUNTY: CHARLESTON

STATE: SOUTH CAROLINA

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List of Adjacent Property Owners

- Gregory J. and Rhonda J. Huller 3454 Mistletoe Lane Summerville, SC 29485
- Elgie M. and Lila M. Moore 10369 Linconlville Road Summerville, SC 29485
- Henry L. and Rebecca B. Smith 971 Lincoln Avenue Summerville, SC 29485
- Kenneth Connor
 1587 Seacroft Road
 Charleston, SC 29412
- 5. Matholo & Sonia Flood P. O. Box 172 Summerville, SC 29484
- Debra L. and Bobby W. Strickland
 5730 Dorchester Road
 N. Charleston, SC 29418
- 7. Kenneth Silverman Trust P. O. Box 328 Charleston, SC 29402
- 8. William Wade Peeples P. O. Box 94 Ladson, SC 29456
- 9. William E. Green 1414 South Avenue Sacramento, CA 95838

2005-2W-151

TITLE: THE LAKES OF SUMMERVILLE
PROPOSED ACTIVITY: PLACING FILL
MATERIAL ON FRESHWATER WETLAND
& WETLAND DISTURBANCE

COUNTY: CHARLESTON

STATE: SOUTH CAROLINA

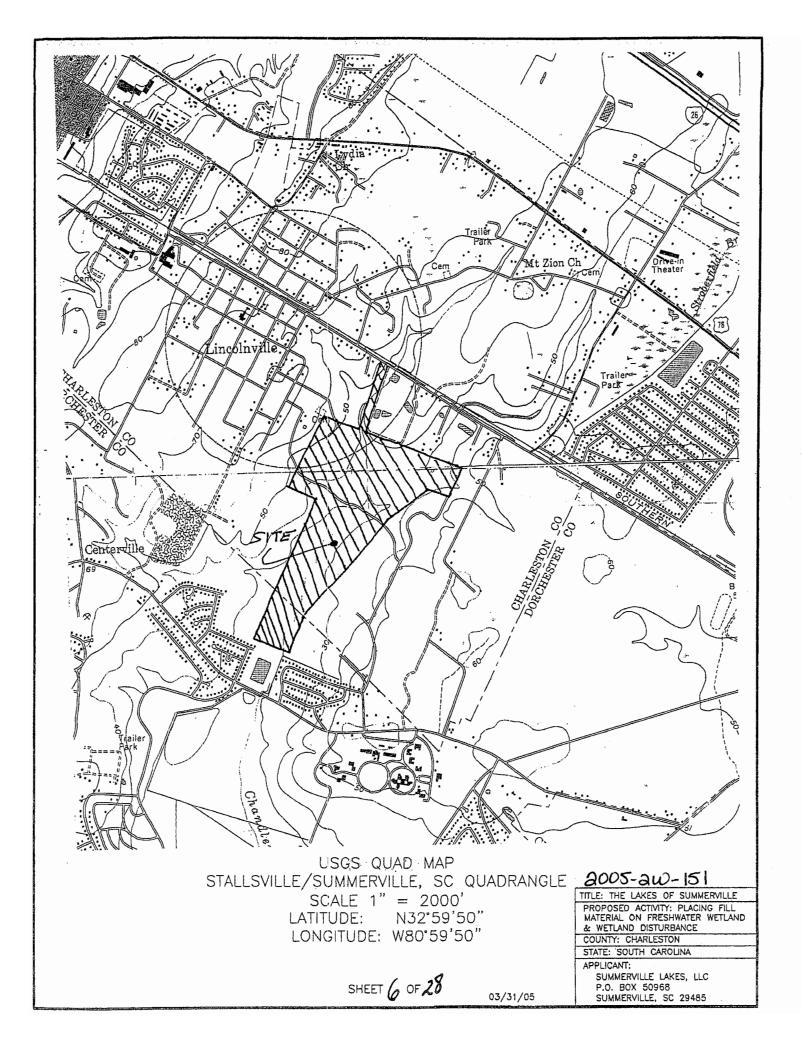
APPLICANT:

- John H. Douglas, et al. 10. 5901 Ryans Bluff Road N. Charleston, SC 29418
- 11. John Squire 12606 King Arthur Court Glendale, MD 20769
- Decator D. Frasier 12. 8513 Long Meadow Drive Charleston, SC 29420
- 13. John & Mamie K. Burt 220 Pickens Street Summerville, SC 29485
- 14. Christopher Sutton 461 S. Santee Road McClellanville, SC 29458
- 15. North Charleston Sewer District 1000 Herbert Street N. Charleston, SC 29405
- 16. Foon L. Woo 1634 Silver Street Jacksonville, FL 322206-4446
- 17. Ruth G. Smith 433 Lafayette Avenue, 20F Brooklyn, NY 11238-1437
- 18. Heirs of Elerby T. Jackson c/o Chester Jones 7129 Anderson Street Philadelphia, PA 19119-1201
- 19. Lakes of Summerville, LLC P. O. Box 50968 Summerville, SC 29485
- 20. Chandler Lake Associates P. O. Box 1870 Charleston, SC 29402

PROPOSED ACTIVITY: PLACING FILL MATERIAL ON FRESHWATER WETLAND & WETLAND DISTURBANCE

COUNTY: CHARLESTON

STATE: SOUTH CAROLINA



TO COLUMBIA TO CHARLESTON ASHLEY RIVER

> L'OCATION MAP NOT TO SCALE

> > SHEET 7 OF 28

03/31/05

TITLE: THE LAKES OF SUMMERVILLE PROPOSED ACTIVITY: PLACING FILL MATERIAL ON FRESHWATER WETLAND & WETLAND DISTURBANCE

COUNTY: CHARLESTON

STATE: SOUTH CAROLINA

APPLICANT:

NOTES & LEGEND

LEGEND:

FRESHWATER WETLAND

FRESHWATER WETLAND BUFFER

FRESHWATER WETLAND TO BE FILLED

PROPOSED PERMANENT EASEMENT

PROPOSED TEMPORARY EASEMENT

NOTES:

TOTAL EXISTING PARCEL AREA: 184.42 Ac

HIGHLANDS: 112.40 Ac

2. FRESHWATER WETLANDS: 72.02 Ac

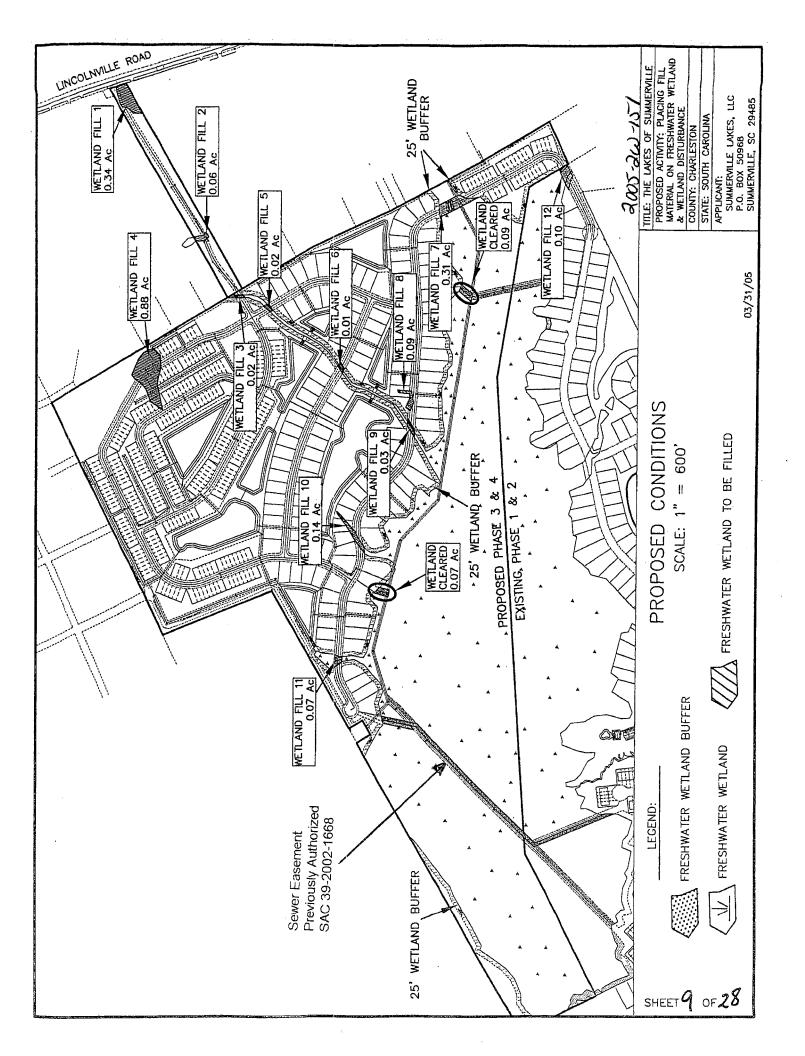
TOTAL IMPACTS:

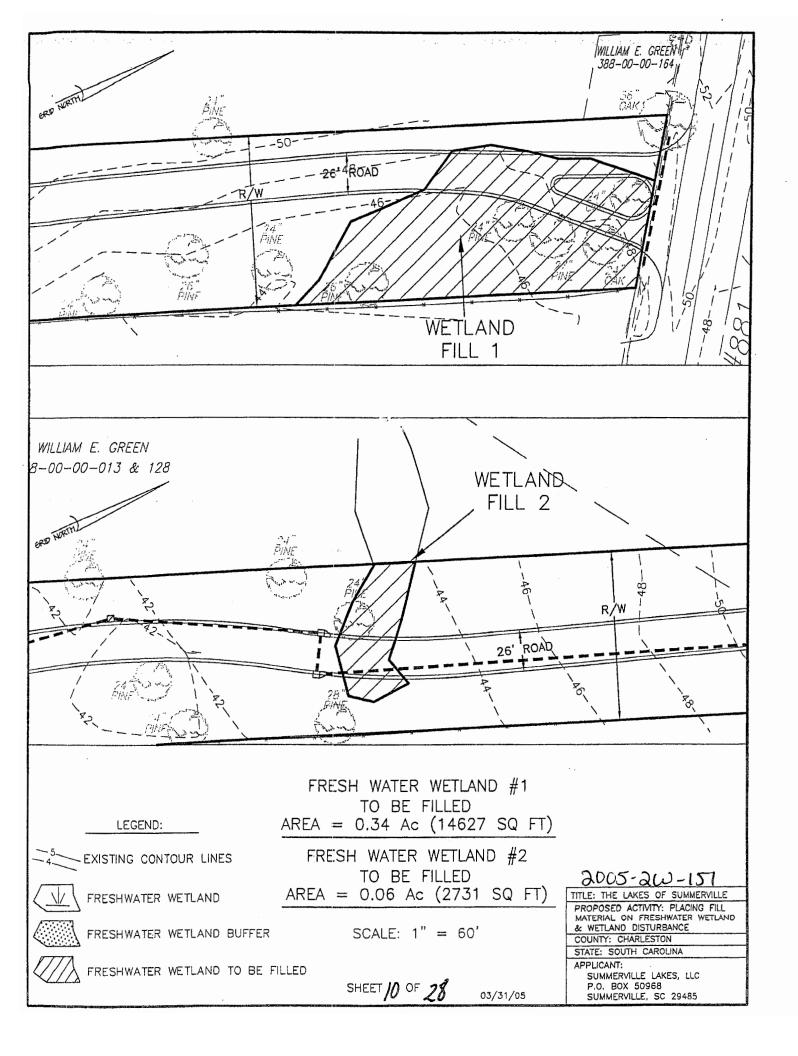
- WETLAND AREA TO BE FILLED: 2.07 Ac
- WETLAND ARE TO BE CLEARED: 0.16 Ac
 - a) CLEARING OF PERM. SEWER EASEMENT: 0.08 Ac
 - b) CLEARING OF TEMP. SEWER EASEMENT: 0.08 Ac (TEMP. EASEMENT TO BE RESTORED AFTER CONSTRUCTION)
- WETLAND BUFFER: 5.60 Ac
- WETLAND PRESERVED: 69.97 Ac
- B) LOCATION: ADJACENT TO THE EXISTING PHASE 1 & 2 OF THE LAKES OF SUMMERVILLE SUBDIVISION AND CONNECTING THROUGH TO LINCOLNVILLE ROAD
- C) TOTAL FILL TO BE PLACED IN WETLAND: ±7090 CUBIC YARDS
- D) LATITUDE: N32'59'50" LONGITUDE: W80'08'45"

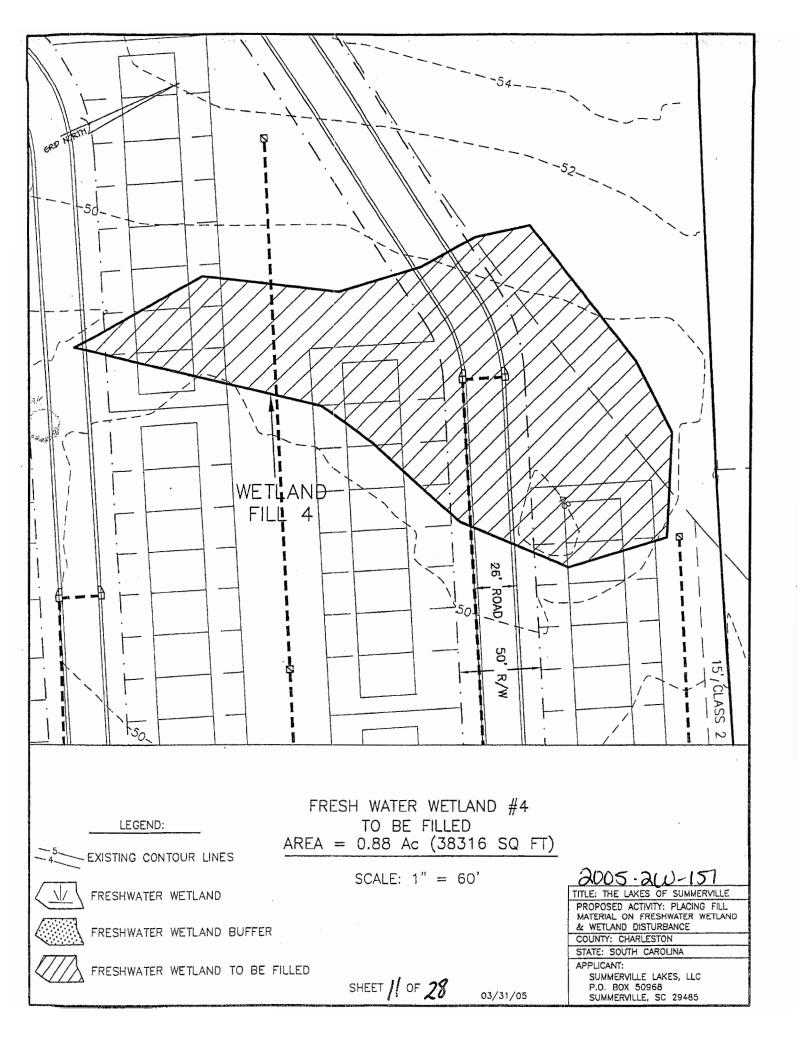
TITLE: THE LAKES OF SUMMERVILLE PROPOSED ACTIVITY: PLACING FILL MATERIAL ON FRESHWATER WETLAND MITIGATION, & WETLAND DISTURBANCE COUNTY: CHARLESTON

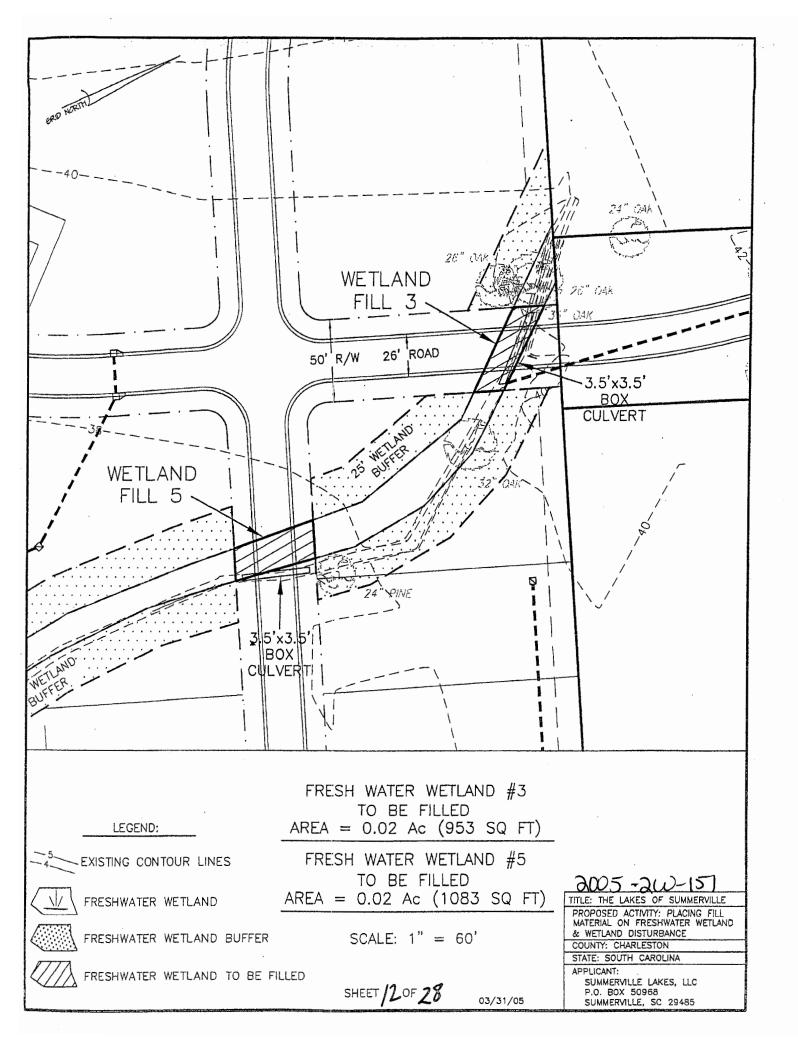
STATE: SOUTH CAROLINA

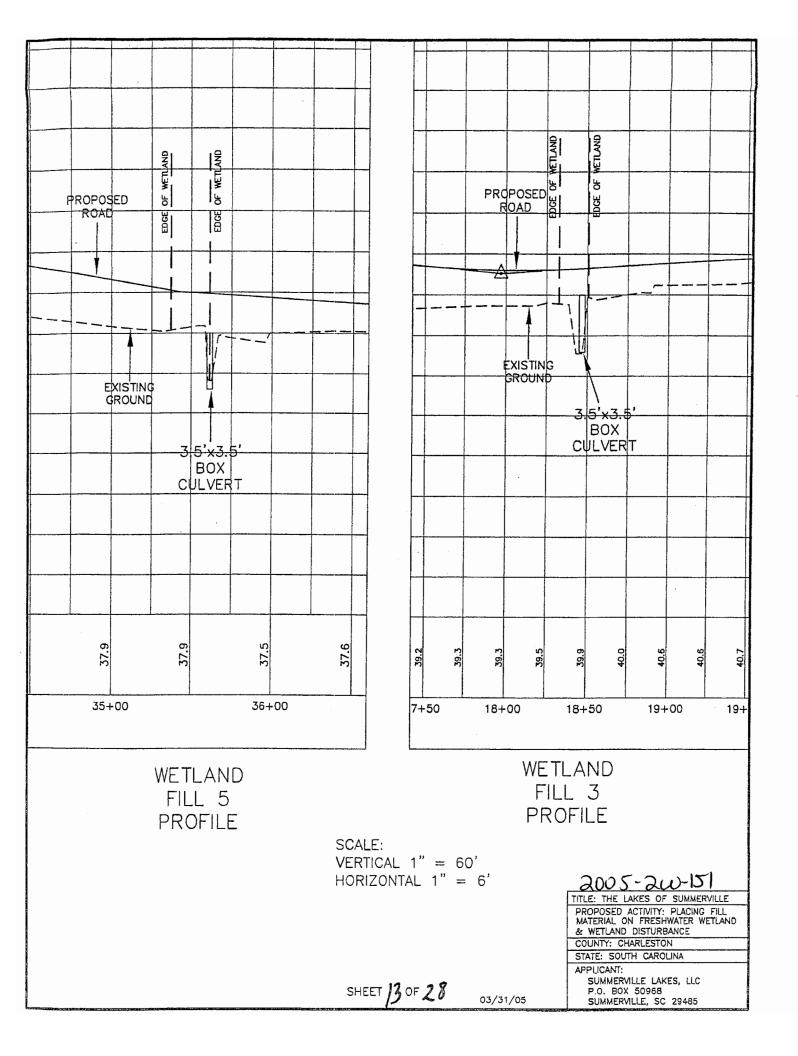
APPLICANT:

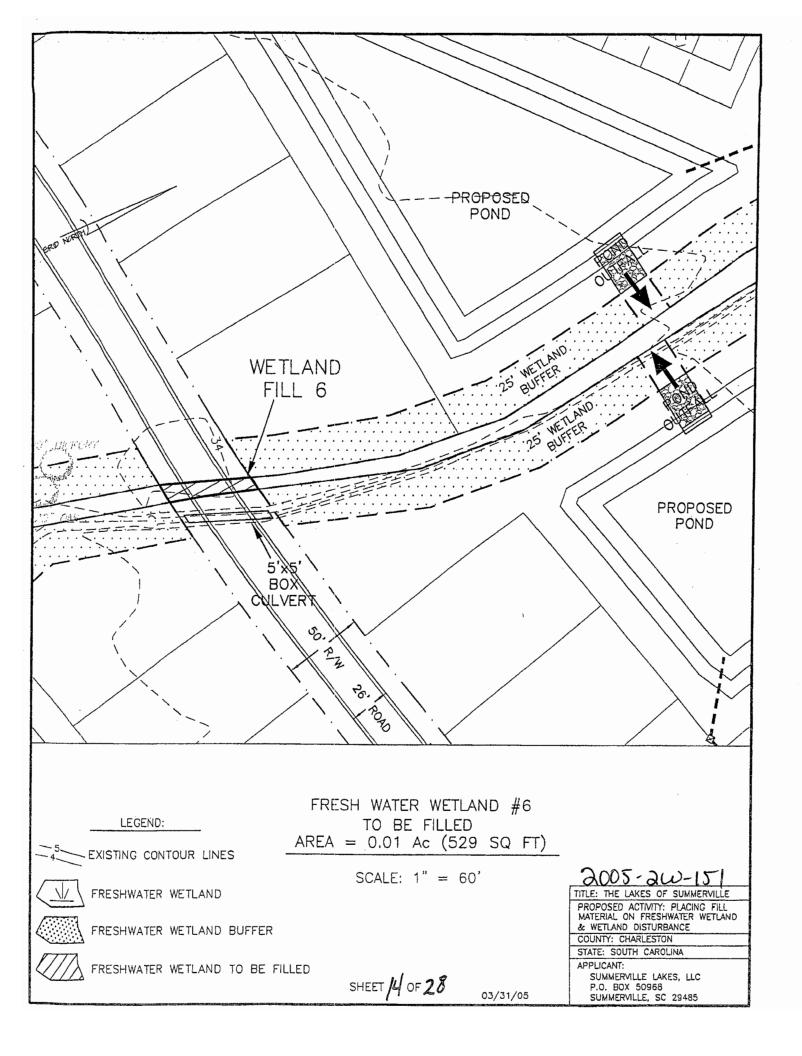


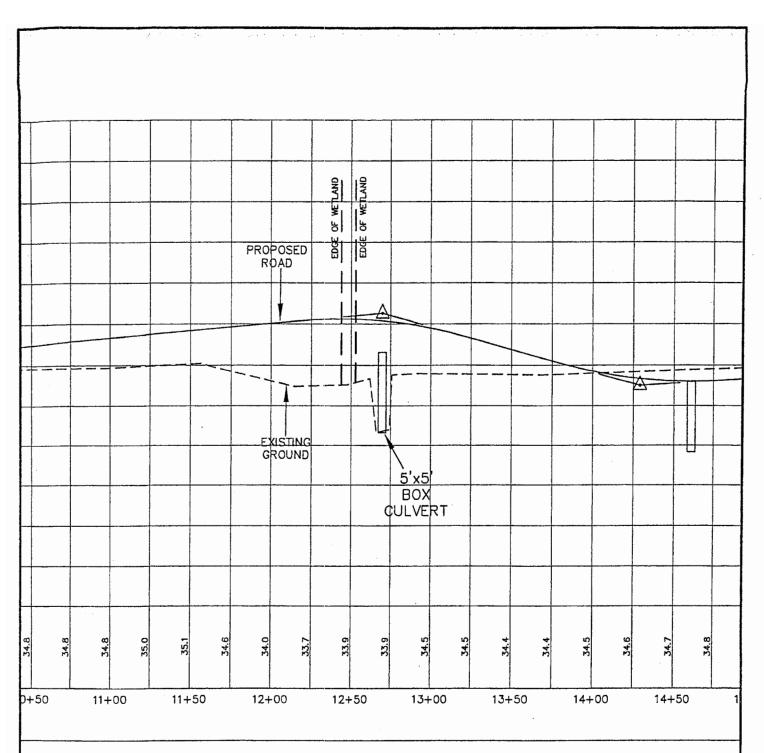












WETLAND FILL 6 PROFILE

SCALE: VERTICAL 1" = 60'HORIZONTAL 1" = 6'

SHEET 15 OF 28

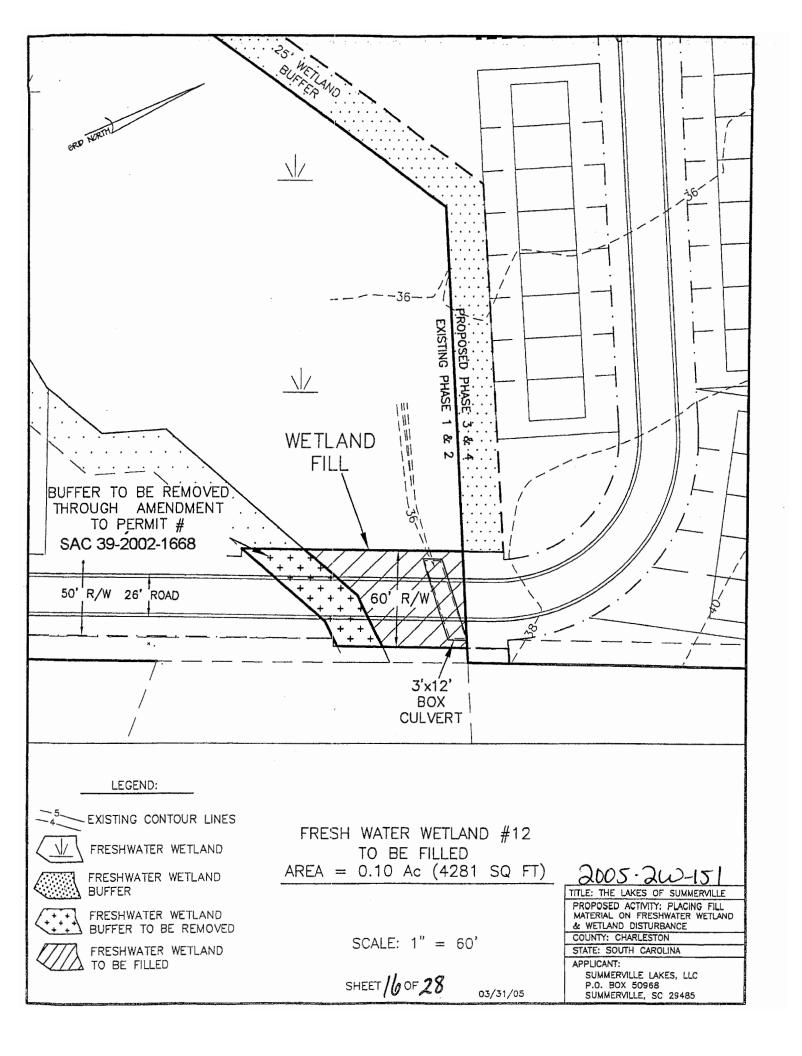
03/31/05

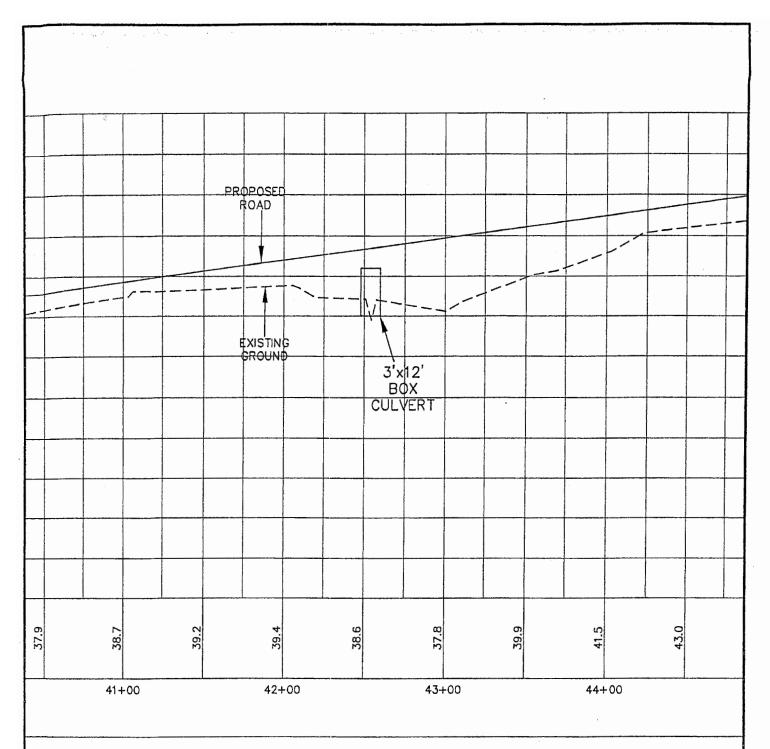
TITLE: THE LAKES OF SUMMERVILLE

PROPOSED ACTIVITY: PLACING FILL MATERIAL ON FRESHWATER WETLAND & WETLAND DISTURBANCE COUNTY: CHARLESTON

STATE: SOUTH CAROLINA

APPLICANT:





WETLAND FILL 12 PROFILE

SCALE: VERTICAL 1" = 60'HORIZONTAL 1" = 6"

SHEET 17 OF 28

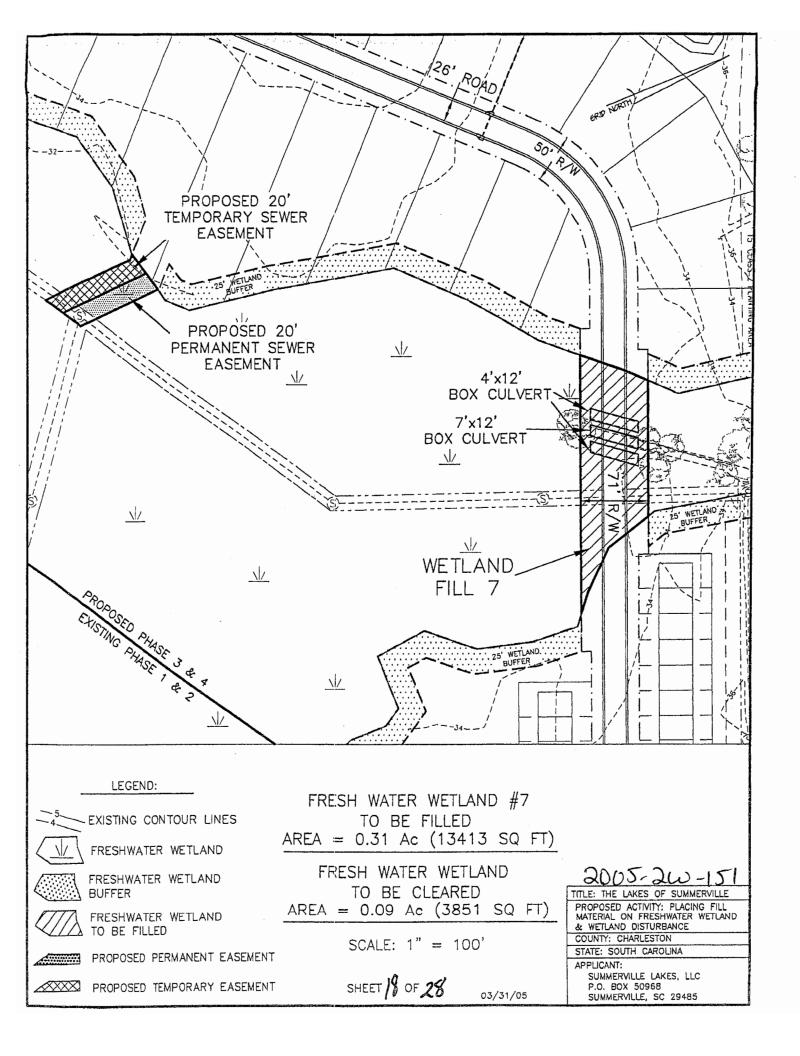
03/31/05

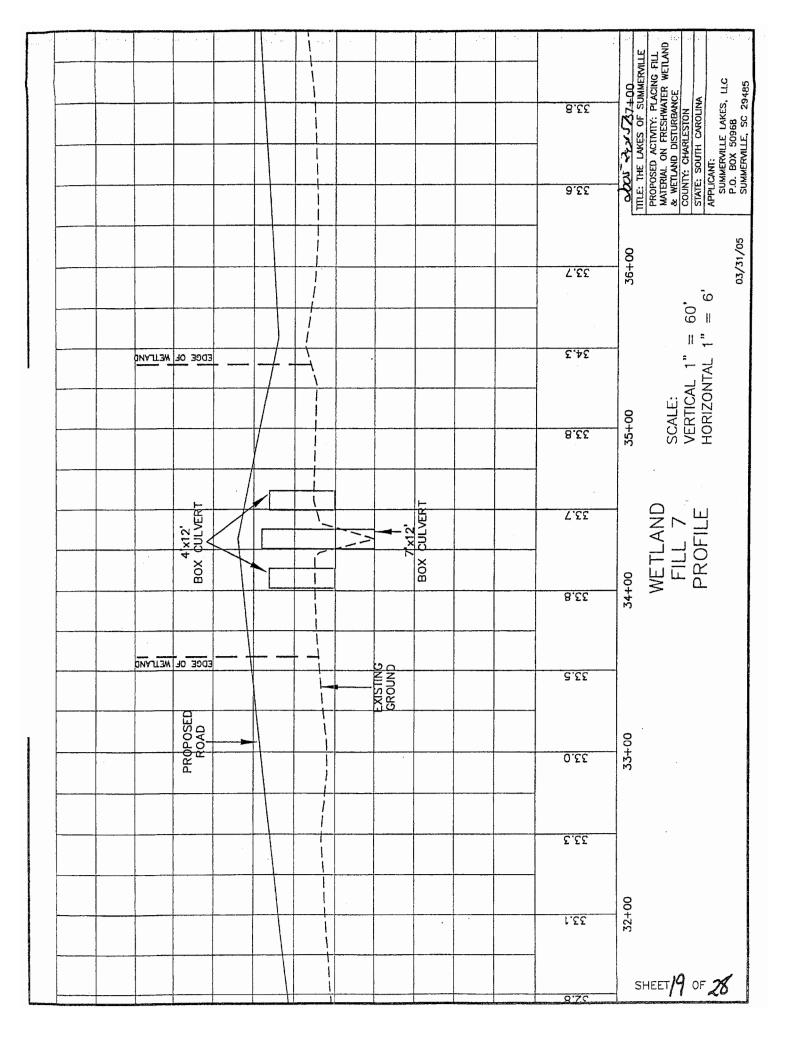
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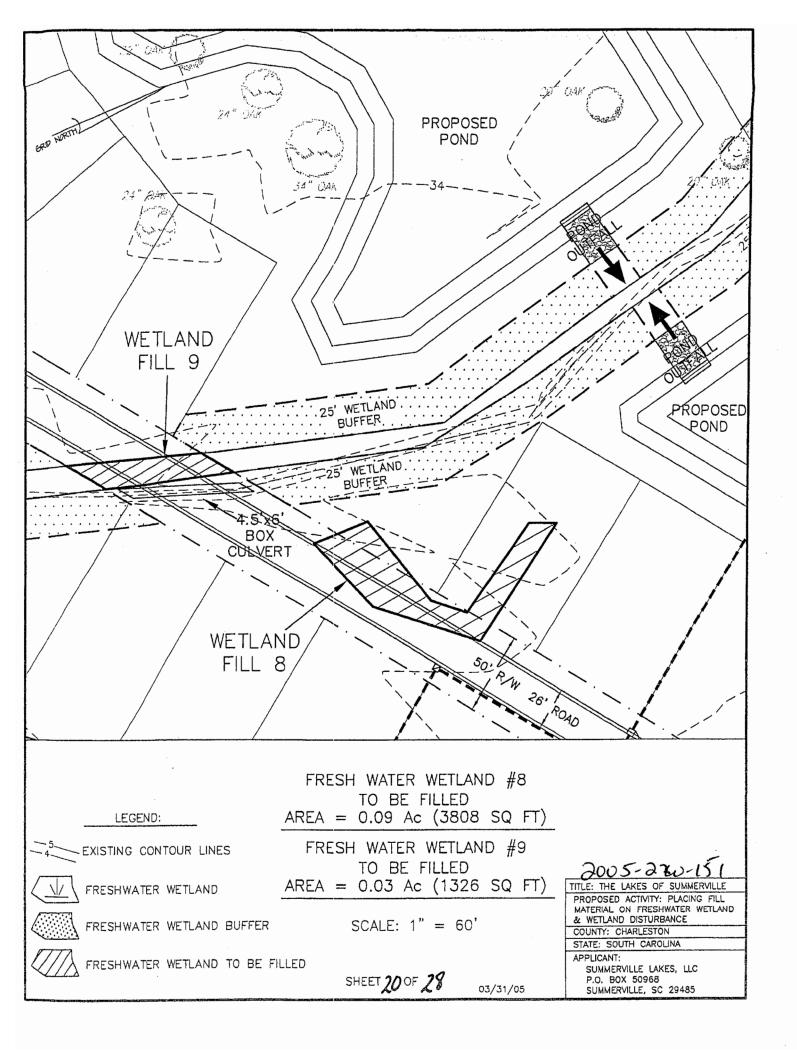
COUNTY: CHARLESTON

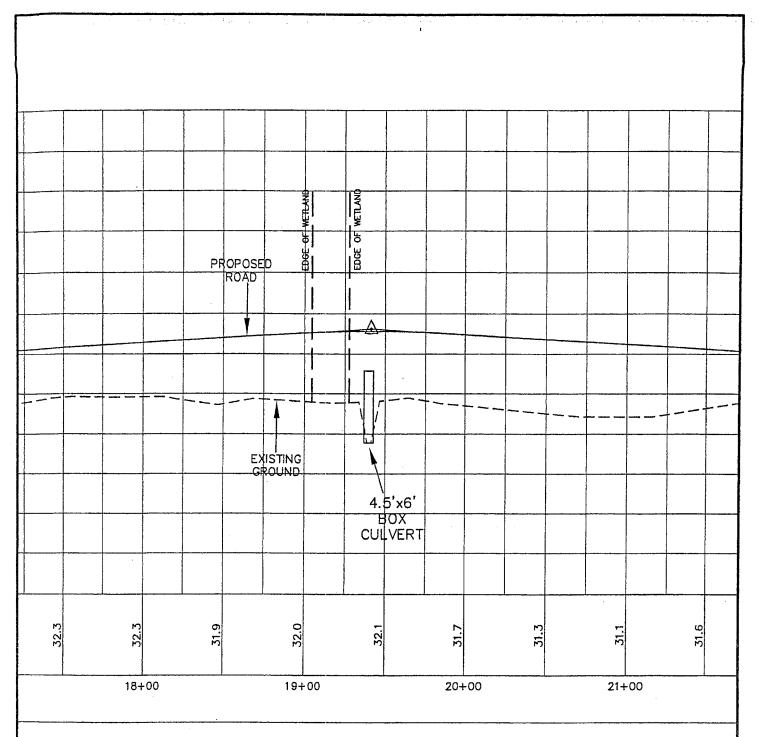
STATE: SOUTH CAROLINA

APPLICANT:









WETLAND FILL 9 PROFILE

SCALE: VERTICAL 1" = 60' HORIZONTAL 1" = 6'

TITLE: THE LAKES OF SUMMERVILLE
PROPOSED ACTIVITY: PLACING FILL
MATERIAL ON FRESHWATER WETLAND
& WETLAND DISTURBANCE

COUNTY: CHARLESTON

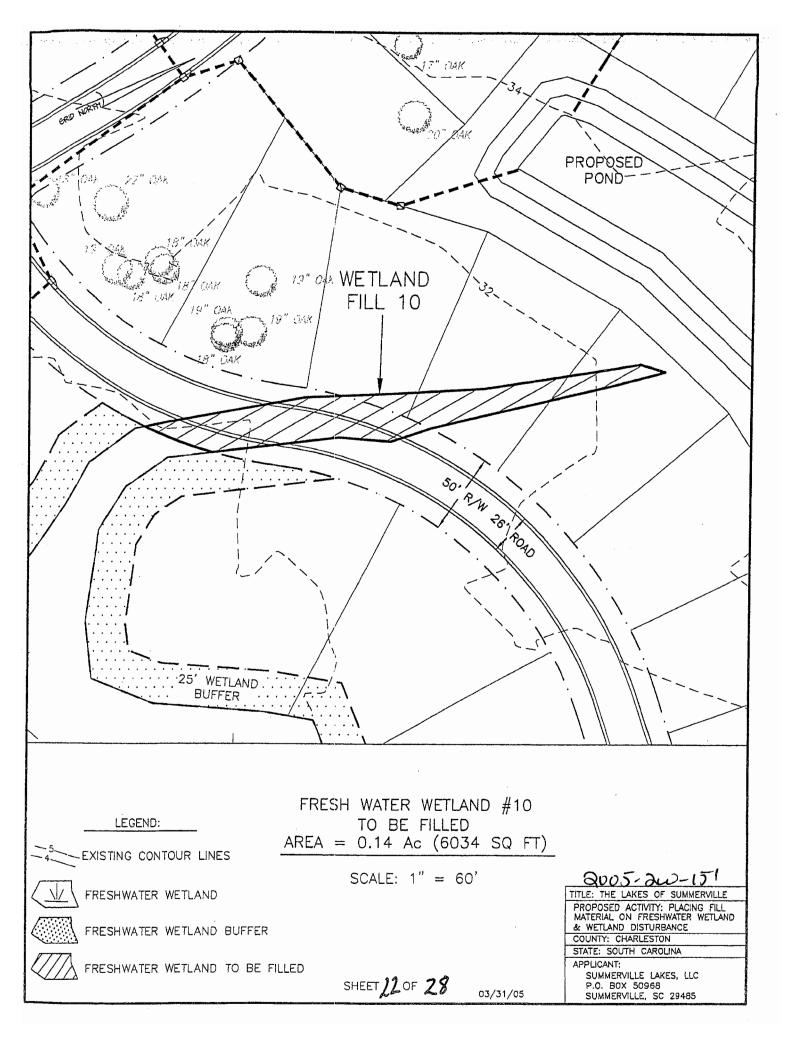
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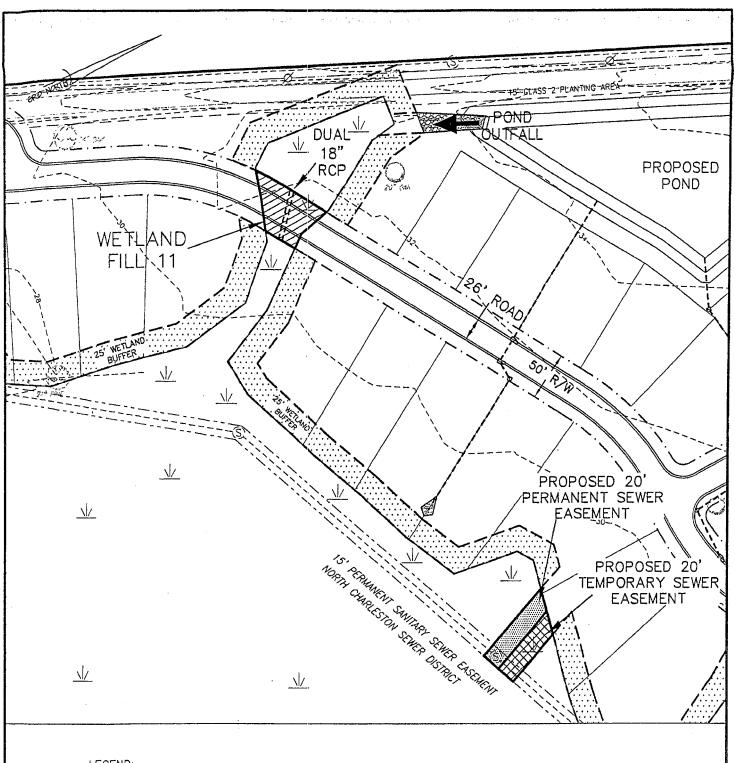
APPLICANT:

SUMMERVILLE LAKES, LLC P.O. BOX 50968 SUMMERVILLE, SC 29485

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03/31/05





LEGEND:

- EXISTING CONTOUR LINES

FRESHWATER WETLAND



FRESHWATER WETLAND BUFFER



FRESHWATER WETLAND TO BE FILLED



PROPOSED PERMANENT EASEMENT



PROPOSED TEMPORARY EASEMENT

FRESH WATER WETLAND #11 TO BE FILLED

AREA = 0.07 Ac (2858 SQ FT)

FRESH WATER WETLAND TO BE CLEARED

AREA = 0.07 Ac (3065 SQ FT)

SCALE: 1" = 100'

SHEET 13 OF 28

03/31/05

2005-2W-151

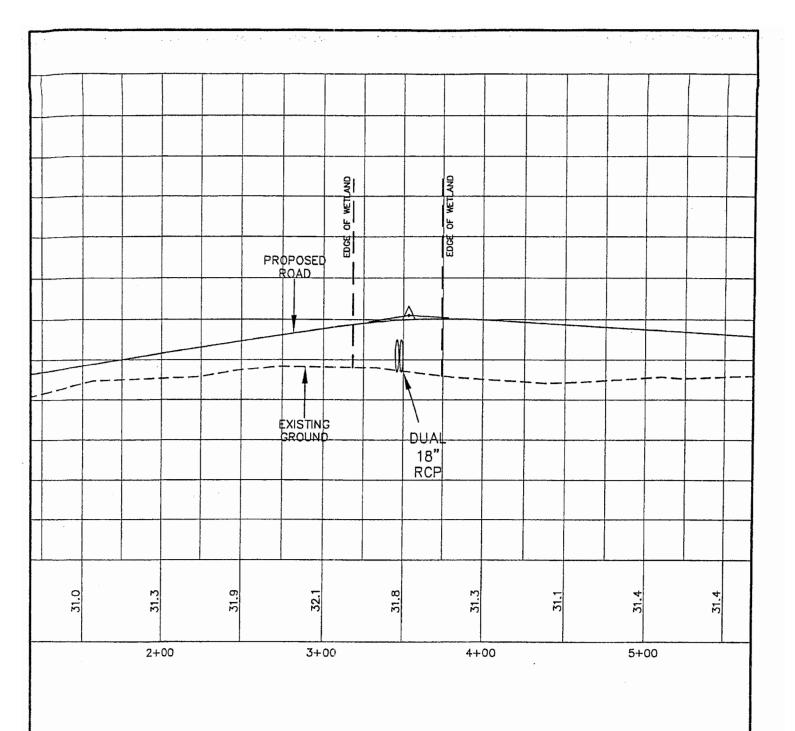
TITLE: THE LAKES OF SUMMERVILLE PROPOSED ACTIVITY: PLACING FILL

MATERIAL ON FRESHWATER WETLAND & WETLAND DISTURBANCE

COUNTY: CHARLESTON

STATE: SOUTH CAROLINA

APPLICANT:



WETLAND FILL 11 PROFILE

SCALE: VERTICAL 1" = 60' HORIZONTAL 1" = 6'

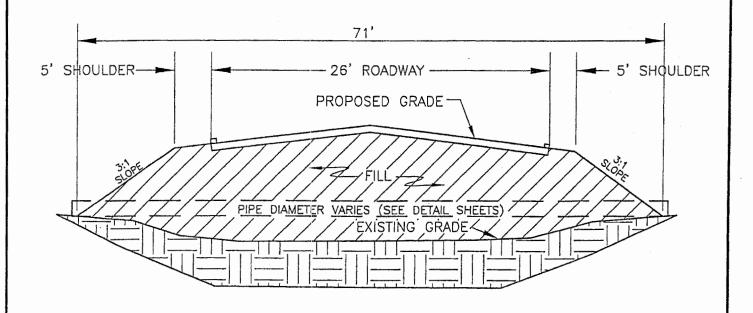
SHEET 24 OF 28

03/31/05

TITLE: THE LAKES OF SUMMERVILLE PROPOSED ACTIVITY: PLACING FILL MATERIAL ON FRESHWATER WETLAND & WETLAND DISTURBANCE

COUNTY: CHARLESTON

STATE: SOUTH CAROLINA



FILL SECTION FOR FRESHWATER WETLAND

NOT TO SCALE

2005-200-151

TITLE: THE LAKES OF SUMMERVILLE
PROPOSED ACTIVITY: PLACING FILL
MATERIAL ON FRESHWATER WETLAND
& WETLAND DISTURBANCE

COUNTY: CHARLESTON

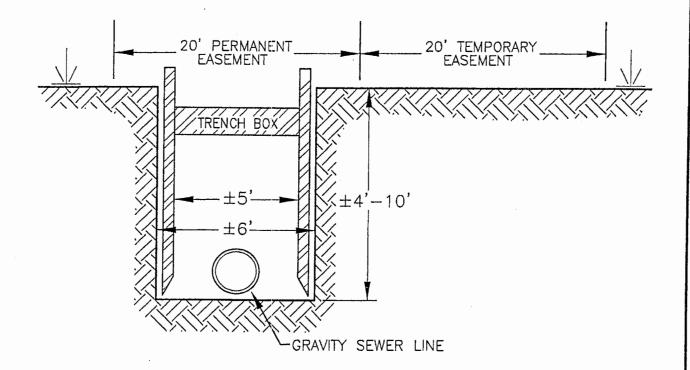
STATE: SOUTH CAROLINA

APPLICANT:

SUMMERVILLE LAKES, LLC P.O. BOX 50968 SUMMERVILLE, SC 29485

SHEET 25 OF 28

03/31/05



TYPICAL EASEMENT CONSTRUCTION PROFILE FOR FRESHWATER WETLAND CLEARANCE

NOT TO SCALE

2005-2W-151

TITLE: THE LAKES OF SUMMERVILLE
PROPOSED ACTIVITY: PLACING FILL
MATERIAL ON FRESHWATER WETLAND
& WETLAND DISTURBANCE

COUNTY: CHARLESTON STATE: SOUTH CAROLINA

APPLICANT:

SUMMERVILLE LAKES, LLC P.O. BOX 50968 SUMMERVILLE, SC 29485

SHEET 160F 28

03/31/05

